

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

**KLAMATH SISKIYOU
WILDLANDS CENTER;
OREGON WILD; CASCADIA
WILDLANDS,**

Plaintiffs,

No. 1:17-cv-00997-CL

v.

ORDER

**BUREAU OF LAND
MANAGEMENT; INTERIOR
BOARD OF LAND APPEALS,**

Defendants.

and

MURPHY COMPANY,

Intervenor-Defendant

McSHANE, District Judge.

Magistrate Judge Mark D. Clarke has filed a Report and Recommendation, ECF No. 57. Plaintiffs have filed a partial objection, ECF No. 59, to which Defendants and Intervenor-Defendant have filed responses. ECF Nos. 63, 64. Defendants and Intervenor-Defendants have also separately filed partial objections, ECF Nos. 60, 61, and Plaintiffs have filed a response. ECF

No. 62. The Court has reviewed the file of this case *de novo*. 28 U.S.C. § 636(b)(1); *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

The Court has given this matter *de novo* review and finds no error. Accordingly, the Court ADOPTS the Report and Recommendation. Plaintiffs' Motion for Summary Judgment, ECF No. 31, is GRANTED in part and DENIED in part. Defendants' Motion for Summary Judgment, ECF No. 34, is GRANTED in part and DENIED in part. Defendant-Intervenor's Motion for Summary Judgment, ECF No. 33, is GRANTED in part and DENIED in part. Plaintiffs' Request for Judicial Notice, ECF No. 52, is DENIED. The BLM's Lower Grave timber sale decision is REMANDED to the BLM for consideration of a reasonable range of alternatives under NEPA.

It is so ORDERED and DATED this 2nd day of July, 2019.

s/Michael J. McShane
MICHAEL McSHANE
United States District Judge